



February 9, 2001

HOUSE BILL No. 1492

DIGEST OF HB 1492 (Updated February 7, 2001 1:36 PM - DI 69)

Citations Affected: Noncode.

Synopsis: Environmental quality service council. Reestablishes and extends the environmental quality service council (EQSC) through December 31, 2005. Reduces the number of members who serve on the EQSC from 24 to 18.

Effective: Upon passage.

Wolkins, Weinzapfel

January 11, 2001, read first time and referred to Committee on Environmental Affairs.
February 8, 2001, amended, reported — Do Pass.

C
o
p
y

HB 1492—LS 6930/DI 52+



February 9, 2001

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 1492

A BILL FOR AN ACT concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. [EFFECTIVE UPON PASSAGE] (a) As used in this
2 SECTION, "council" refers to the environmental quality service
3 council established by subsection (c).

4 (b) As used in this SECTION, "department" refers to the
5 department of environmental management.

6 (c) The environmental quality service council is established.

7 (d) The council consists of eighteen (18) members appointed as
8 follows:

9 (1) Four (4) members of the senate, not more than two (2) of
10 whom may be affiliated with the same political party, to be
11 appointed by the president pro tempore of the senate.

12 (2) Four (4) members of the house of representatives, not
13 more than two (2) of whom may be affiliated with the same
14 political party, to be appointed by the speaker of the house of
15 representatives.

16 (3) The commissioner of the department or the
17 commissioner's designee who serves as a nonvoting member.

18 (4) Nine (9) individuals who are not members of the general

HB 1492—LS 6930/DI 52+



assembly and who are appointed by the governor as follows:

(A) Two (2) individuals representing business and industry, not more than one (1) of whom may be affiliated with the same political party.

(B) Two (2) individuals representing local government, not more than one (1) of whom may be affiliated with the same political party.

(C) Two (2) individuals representing environmental organizations, not more than one (1) of whom may be affiliated with the same political party.

(D) One (1) individual representing the general public.

(E) Two (2) individuals representing the following interests:

(i) One (1) representative of semipublic permittees.

(ii) One (1) representative of agriculture.

Until an appointment is made under clause (A), (B), (C), (D), or (E), an unfilled position shall be held by the corresponding member of the environmental quality service council serving on December 31, 2000, who was appointed under P.L.248-1996, SECTION 1(d)(4), and who represented the same interest as that of the unfilled position.

(e) Appointments are valid for two (2) years after the date of the appointment. However, a member shall serve on the council until a new appointment is made.

(f) A vacancy among the members of the council shall be filled by the appointing authority of the member whose position is vacant. If the appointing authority does not fill a vacancy within sixty (60) days after the date the vacancy occurs, the vacancy shall be filled by the chairman of the legislative council.

(g) The chairman of the legislative council shall designate a member of the council to be the chairman of the council.

(h) The chairman of the council shall call for the council to meet at least six (6) times during a calendar year. The chairman may designate subcommittees to meet between committee meetings and report back to the full council.

(i) Each member of the council is entitled to receive the same per diem, mileage, and travel allowances paid to individuals who serve as legislative and lay members, respectively, serving on interim study committees established by the legislative council.

(j) The council shall do the following:

(1) Advise the commissioner of the department on policy issues decided upon by the council.



C
o
p
y

(2) Review the mission and goals of the department and evaluate the implementation of the mission.

(3) Serve as a council of the general assembly to evaluate:

(A) resources and structural capabilities of the department to meet the department's priorities; and

(B) program requirements and resource requirements for the department.

(4) Serve as a forum for citizens, the regulated community, and legislators to discuss broad policy directions.

(5) Submit a final report to the governor, the general assembly, the budget committee, and the administrative rules oversight committee established by IC 2-5-18 before November 1, 2001, and before November 1 each year thereafter, that contains:

(A) an outline of activities of the council;

(B) recommendations for any department action;

(C) recommendations for any legislative action; and

(D) an estimate of funding levels required by the department, including an evaluation of permit fees.

(k) The commissioner of the department shall report to the council each month concerning the following:

(1) Permitting programs and technical assistance.

(2) Proposed rules and rulemaking in progress.

(3) The financial status of the department.

(4) Any additional matter requested by the council.

(l) The council shall:

(1) operate under procedures; and

(2) issue reports and recommendations;

as directed by the legislative council.

(m) The legislative services agency shall provide staff support to the council.

(n) This SECTION expires December 31, 2005.

SECTION 2. An emergency is declared for this act.

C
o
p
y



COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred House Bill 1492, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 7, delete "twenty-four (24)" and insert "**eighteen (18)**".

Page 1, line 17, delete "." and insert "**who serves as a nonvoting member.**".

Page 1, line 18, delete "Fifteen (15)" and insert "**Nine (9)**".

Page 2, line 3, delete "Four (4)" and insert "**Two (2)**".

Page 2, line 4, delete "two (2)" and insert "**one (1)**".

Page 2, line 6, delete "Four (4)" and insert "**Two (2)**".

Page 2, line 7, delete "two (2)" and insert "**one (1)**".

Page 2, line 12, delete "Two (2) individuals" and insert "**One (1) individual**".

Page 2, line 12, delete "," and insert ".".

Page 2, delete lines 13 through 14.

Page 2, line 15, delete "Three (3)" and insert "**Two (2)**".

Page 2, line 18, delete "Two (2) representatives" and insert "**One (1) representative**".

Page 2, line 18, delete ", not more than" and insert ".".

Page 2, delete lines 19 through 20.

Page 2, line 21, after "(C)," insert "**(D),**".

Page 3, line 37, delete "2003." and insert "**2005.**".

Page 3, delete lines 38 through 39.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1492 as introduced.)

WEINZAPFEL, Chair

Committee Vote: yeas 11, nays 0.

